

DETAILED ACTION

1. This Office Action is in response to the Amendment filed 03/08/2010. Claims 1-42 are now pending, wherein claims 16-42 were withdrawn from the consideration due to the Election/Restriction requirement.

Claim Analysis

2. Summary of Claim 1:

A solvent dispersion of a composite resin, which comprises	
	a solvent and
	a composite resin comprising
<p>a thermoplastic elastomer (A) and</p> <p>a polymer of copolymerizable monomers (B) comprising</p> <p>a monomer having an α,β-monoethylenically unsaturated group and other copolymerizable monomer(s),</p>	
<p>wherein the thermoplastic elastomer (A) is a propylene-based elastomer having $M_w/M_n \leq 3$ (GPC), and</p> <p>the copolymerizable monomers (B) include at least one monomer containing no functional groups.</p>	

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 13-15, and 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosch et al. (US 6,191,210 B1).

The disclosure of Rosch et al. is adequately set forth in paragraph 5 of the Office Action dated 11/24/2009 and is incorporated herein by reference.

Allowable Subject Matter

5. Claims 8-12 and 31-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Rosch et al. do not teach or fairly suggest the claimed solvent dispersion of a composite resin, wherein the thermoplastic elastomer is a propylene-based elastomer having a molecular weight distribution of 3 or less (GPC) and being prepared in the presence of a specific catalyst.

Response to Arguments

Art Unit: 1796

6. Applicant's arguments filed 03/08/2010 have been fully considered but they are not persuasive

Applicants: "Applicants advise that a molecular weight distribution (Mw/Mn) of a typical polyolefin is not less than 3. See, e.g., Furumiya et al.... and Komatsu et al....For the Examiner's convenience, copies of these two documents are attached hereto. That is to say, a propylene-based elastomer having a molecular weight distribution (Mw/Mn) of not more than 3, which is used in the presently claimed invention, is less common."

It is noted that Rosch do disclose that the elastomer obtained by the high conversion free radical polymerization has a molecular weight distribution of 2-5. Furthermore, the statement of "a propylene-based elastomer having a molecular weight distribution (Mw/Mn) of not more than 3....is less common" does not necessarily provide an evidence that the elastomer used in the disclosure of Rosch must not meet the claimed range of the molecular weight distribution because the molecular weight distribution depends on many experimental factors. Thus, the rejections of claims 1-7 and 13-15 are maintained.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Ling-Siu Choi/

Primary Examiner, Art Unit 1796

June 05, 2010

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